

## BECKER IS GUILTY IN FIRST DEGREE

Jury Returned Verdict at Midnight After Deliberating on the Case For Eight Hours

## MRS. BECKER FAINTS UPON HEARING RESULT

Prisoner Hears His Doom Pronounced Without Moving a Muscle—Passing of Sentence Deferred Until October 30—Justice Goff Hinged Charge on Question of Whether or Not Sam Schepps Was an Accomplice.

New York, Oct. 25.—Police Lieutenant Charles Becker was found guilty tonight of murder in the first degree by the jury which has been trying him for instigating the death of Herman Rosenthal, the gambler. The verdict was announced at 10.02 o'clock this morning.

Mrs. Becker, sitting outside of the court room, fell in a swoon when the verdict was announced.

To Be Sentenced October 30.

The verdict was "murder in the first degree," and was pronounced just after midnight. Becker was remanded for sentence to the Tombs by Justice Goff until October 30.

Becker did not flinch when he heard the verdict pronounced by Harold B. Skinner, foreman of the jury.

Becker Anxiously Sees Jury.

The twelve jurors with solemn faces and measured steps filed into the court room at 11.55 o'clock. A minute later the defendant was brought in from the Tombs. Justice Goff had not yet entered the room, and for a moment Becker took a side seat. As he waited he scanned with anxious eye the faces of the jurors, but none of them met his gaze. A tense silence prevailed.

At 11.57 o'clock Justice Goff entered the court room and, bowing low to counsel, took his seat. The jury roll was called.

Guilty in the First Degree.

The clerk then asked the jurors if they had reached a verdict.

"We have," announced Foreman Skinner. The jury rose to its feet.

"We find the defendant guilty as charged in the indictment," Mr. Skinner said slowly and evenly, looking squarely at Justice Goff.

"Do you find the defendant guilty of murder in the first degree, as charged in the indictment?" asked the clerk.

"We do," the foreman replied.

The court then directed that the roll of the jurors be called for their individual verdict.

Becker Stands Rigidly.

As he repeated the question "Do you find the defendant guilty of murder in the first degree, as charged?" each juror answered "I do."

Becker stood at the bar with squared shoulders, head erect. Not a muscle moved in his face, but he swallowed hard. That was all.

When the last juror had answered, Justice Goff instructed the clerk to take the defendant's pedigree.

Becker's Pedigree Taken.

Becker answered the questions in a low, firm voice. A court officer brought the questions to him, written on a slip of paper, and as the prisoner read them to himself he replied:

"Forty-two years old," he said. "American citizen, born in Germany; address, 3239 Audubon avenue; lieutenant of police; married; Protestant; mother living; habits temperate; never convicted before."

McIntyre Asks to Defer Proceedings.

When Becker's voice died away Mr. McIntyre, who had covered his face with his hands as the verdict was given, rose and asked that all further proceedings be deferred for one week.

"I will defer sentence," announced Justice Goff, "until October 30th and remand the prisoner."

Judge Speaks in Low Tone.

Justice Goff spoke in a low, soft tone of voice, almost a whisper, that had characterized his utterances during the trial.

Becker gave a fleeting glance at the judge and rested his eyes for a moment on the jury. Then he turned and followed by a jail warden walked with unflinching, rapid steps up the aisle of the court room and disappeared through the door leading over the "Bridge of Sighs" to the Tombs.

Jury Deliberated Eight Hours.

The jury had deliberated nearly eight hours before reaching the verdict, though the case had been in their hands since 2.20 o'clock yesterday afternoon. Actual deliberation began at 4.37 o'clock, when the doors of the jury room swung behind them on their return from luncheon.

What happened behind those doors, how the debate ebbed and flowed, who stood out elated against the final verdict, how many ballots were cast—these were matters to whose secrecy each juror was pledged.

Judge Foretells Demonstration.

While the jury was making up its mind absolute stillness, heightened by the midnight quiet of the streets, prevailed in the court room. After the verdict was given no one was allowed to leave the room until the jury had filed out. Justice Goff had given orders that any one disturbing the proceedings in the slightest degree should be brought before him for punishment.

Two hundred persons of more gathered at the court room doors. With her ear almost at the keyhole sat the prisoner's wife. As the last juror left the room by another exit the door flew open and a man rushed excitedly into the corridor. The crowd gave way. He was half way down the steps to the telephone booth, when a policeman shouted:

Mrs. Becker Faints.

"What's the verdict?" The fleeing man looked over his shoulder.

"Guilty," he shouted.

For a moment there was silence, keen, intense, gripping. It was broken by a woman's muffled scream and the sound of a falling body.

The prisoner's wife had fainted dead away.

McIntyre's Last Plea.

Just before the verdict was given, Mr. McIntyre made his last plea. He asked that the court grant an earlier request of the jury to inspect the testimony of the persons who talked to Sam Schepps in Hot Springs, Ark. The court refused to hear the plea.

Mr. McIntyre had opposed that request of the jury's when it was made to Justice Goff six and a half hours before.

Was Sam Schepps an Accomplice?

It was upon this question—whether Sam Schepps was an accomplice to the murder—that Justice Goff hinged his charge to the jury. He said that he, himself, was in doubt.

The penalty for murder in the first

degree is the electric chair. An appeal from the verdict goes directly to the court of appeals at Albany and, of course, as a stay of execution.

Jurors Told to Keep Mum.

"When the jurors left the court room they went directly to their homes. They were under the mandate of Justice Goff 'not to communicate the nature of what had taken place in the jury room.'

Schepps Much in Jury's Mind.

Twice during the afternoon the jury communicated with Justice Goff. Once it asked for the stipulations made by the state with the four informers, Rose, Webber, Vallon and Schepps, and Schepps' letter to Rose, written by the little gambler at Hot Springs, Ark.

And expressing his willingness to testify. The second time the jury wanted the testimony of persons who talked with Schepps in Hot Springs. The first request was granted, the second denied, because portions of the testimony taken at Hot Springs had been excluded from the evidence by the court.

Schepps, in view of the court's charge, was apparently much in the jury's mind.

Bulgarian Losses May Be 3,000.

Sofia, Oct. 24.—Details of the capture of Kirk-Kilmench are still meager. An unofficial estimate puts the Bulgarian casualties at 3,000.

The fighting has been continuous since Tuesday.

Shooting off Rosenthal.

New York, Oct. 24.—It was in the early hours of July 16 that the "squalling gambler" was shot to death in front of the Hot Springs. On July 21 the grand jury took up the case. On the 23rd it indicted Becker.

On Aug. 5 he was arraigned and pleaded not guilty. On Aug. 20 he was reindicted. His trial was set for Sept. 21, but a stay was granted until Oct. 7 by Supreme Court Justice Blackoff to enable a commission to take testimony at Hot Springs, Ark. On Oct. 7 the trial began. It lasted 17 days.

Ninety-eight witnesses testified; their testimony was placed on 2,745 typewritten pages.

Court Was Doubtful.

The court itself was doubtful as to Schepps' status and declined to guide the jurors in a decision. What he did instruct them to do was to return a verdict of first degree murder or second degree murder or to acquit the defendant. Manslaughter was eliminated and a "no compromise verdict" was directed upon the motion of Becker's lawyer. By far the greater part of the court's instructions dealt with murder in the first degree, the penalty for which is death.

Flagged by counsel, face expressionless, Becker sat chewing gum while the court delivered the charge. Back of the railing sat his wife, head bowed, eyes downcast.

The white-haired justice spoke in a monotone, but with incisive deliberation.

Not Claimed Becker Did Killing.

"It is not claimed by the prosecution that Becker's hand did actually kill Rosenthal," he said at a crucial point. "It is claimed that he requested and directed that the killing should be done, and as I have already instructed the jury, Becker, in law, must be held responsible for the acts of everyone who acted in pursuance of his request or instructions."

"It is important here that I should direct you as to the law governing the death of a person. Where a person is claimed not to have done the actual killing, but to have inspired it and instructed it. Under the law Becker stands charged principally with the murder of the victim, and secondarily with the murder of the person who he counseled and advised it."

Rose, Vallon and Webber Accomplices.

The court here added that the main witnesses against the defendant were without a doubt accomplices, and he so branded Rose, Vallon and Webber. Schepps' relation he would not define.

AN AFFECTING SCENE.

Mrs. Becker Clings to Husband and Staggered as They Part.

New York, Oct. 25.—"There is not the slightest doubt that there will be a reversal of this verdict," said Mr. McIntyre after the jury had filed out. "I cannot and will not say anything more," he added. John W. Hart, attorney of record for Becker, said: "I agree with Mr. McIntyre. I have nothing further to say."

District Attorney Whitman returned to his office as soon as the court proceedings following the rendering of the verdict were concluded.

"I prefer to say nothing," he said, when asked for an expression on the verdict. "The verdict speaks for itself," was his only comment.

Mr. Whitman said the trials of the remaining prisoners in the Rosenthal case will be held in an order to be decided on later. All the prisoners indicted with Becker have asked for separate trials. The trial of Philip Davidson, charged with the murder of Jack Zelig, the East Side gang leader, will begin next Wednesday, but Mr. Whitman was undecided whether the other prisoners would follow Davidson on trial.

Before Mrs. Becker was taken to her home she was allowed to see her husband in the sheriff's room in the building. As she entered the door her husband clasped her in his arms. Mrs. Becker burst into tears and Becker tried to calm her.

She clung to him for more than a minute and then two women companions touched her, but she did not move. Becker kissed her again and again and finally whispered something to her. "It will come out all right," he said. Finally Mrs. Becker stopped back and with a parting kiss the couple separated. As Becker walked toward the entrance to the bridge of sighs he smiled back at his wife, but she suddenly threw her hands up to her face and staggered into the arms of her women companions. They half carried her to a waiting taxicab. Becker soon was in the cell in the Tombs.

Becker's conviction comes exactly 100 days, almost to the hour, after the murder of Rosenthal.

## Cabled Paragraphs

Death of Viscount Peel. London, Oct. 24.—Viscount Peel, who was speaker of the house of commons from 1884 to 1895, died today at the age of 83.

To Detain the Greek Ships.

Cardiff, Wales, Oct. 24.—The British foreign office has instructed the customs officers here to detain the Greek ships which have been commandeered by the Greek consul.

Russian Admiral Commits Suicide.

St. Petersburg, Oct. 24.—Rear Admiral Chagin, commander of the emperor of Russia's yacht, Standart, committed suicide at his residence yesterday.

Steamer Montcalm Disabled.

Liverpool, Eng., Oct. 24.—The steering gear of the Canadian Pacific steamship Montcalm, which left Liverpool for Montreal, on Oct. 14, has got out of order and the vessel is obliged to return to this port.

Death of Archbishop of Australia.

Sorrento, Italy, Oct. 24.—Princess Mary Theresa, archduchess of Austria, died suddenly here today. She was the wife of Prince Ludwig, heir to the throne of Bavaria, to whom she was married in 1866. Prince Mary Theresa was born in 1849.

BOY AND DOG DRIFT IN OARLESS BOAT.

Companion Says Craft Has a Hole Stove in Bow.

New York, Oct. 24.—An 11 year old boy and a collie, together with a drifting to sea tonight in an oarless flat bottom boat, which has a hole stove in its bow, or else have perished in the storm that is kicking up high waves off the Coney Island shore.

The boy is Clinton Fox, who lives in Coney Island. William Taylor, also of Coney Island and 11 years old, was found unconscious on the beach tonight. When revived he said he and Fox had found a rowboat in Gravesend bay and had rowed in it around Norton's Point. Just as they were swinging out into the ocean a big wave hit the boat and dashed it against a building, throwing him out, knocking a hole in the bow of the craft and washing away the oars.

The waves picked him up and cast him ashore. The last he saw of the boat, he said, it was drifting out toward the Coney Island shore with the Fox boy and the dog in it.

The police boat patrol and a fleet of power boats are out on the ocean tonight searching for the missing lad.

PATIENTS' COMMUNICATIONS.

TO BE MADE CONFIDENTIAL.

New Haven County Medical Association Advocates Such a Law.

Meriden, Oct. 24.—About fifty physicians attended the semi-annual convention of the New Haven County Medical association held in this city today. The afternoon session opened at 4 o'clock in Arcanum hall, with addresses by several of the medical men.

Dr. Louis M. Gompertz, president of the association, recommended that a law to the effect that communications of patients to their physicians shall be confidential, be passed, and a committee will be appointed soon to bring the measure before the state legislature.

Several of the physicians visited Undercliff, the state tuberculosis sanatorium, in the afternoon, and were pleased with its method of administration. In the evening a banquet was held at the Winthrop hotel and a number of after dinner speeches were made. Dr. Gompertz acted as toastmaster.

PROMOTERS OF GAMBLING ON COMING ELECTIONS.

Warrants Sworn Out for Well Known Sporting Men in Chicago.

Chicago, Oct. 24.—Warrants for the arrest of James O'Leary, former gambler and bookmaker when horse racing was legal, and several other well known promoters of gambling, were sworn out today by Capt. J. Caughlin of the stockyards station. O'Leary is charged with circulating offers to receive wagers on the coming national and state elections. Nesmith is charged with being keeper of a gambling game. The police officer is in possession of handbills bearing the names and addresses of the two men who are offered various odds on the election. The police also have a witness in the person of a man who says he placed a bet with Nesmith at his saloon.

NO DAMAGE DONE IN VERA CRUZ'S RECAPTURE.

Captain Hughes of the Des Moines Reports to Government.

Washington, Oct. 24.—Captain Hughes of the cruiser Des Moines reports to the navy department that Vera Cruz had been again opened to commerce, today asked the navy department for information as to the probable movements of his vessel. Although this is taken by the department that complete order is restored in Vera Cruz, the Des Moines will be kept there for some days yet.

Captain Hughes said no property was destroyed and no damage done in the retaking of the city by the federal forces. Mexican soldiers protected American property as well as the cables. He reported that the cruiser Tacoma, which left Bluefield, Nicaragua, several days ago, would reach Tampico tomorrow.

STRANGULATION CAUSE OF MRS. SZABO'S DEATH

Verdict of Coroner's Jury in Hudson County, N. Y.

Jersey City, N. J., Oct. 24.—"Death due to strangulation from without," with Burton W. Gibson, the indicted New York lawyer, responsible for the death, was in substance the verdict given by the Hudson county coroner's jury at the close here tonight of the inquest into the death of Mrs. Rose Mensick Szabo, while rowing with Gibson on Greenwood lake, New York, July 10.

Sheriff de Graw of Orange county, N. Y., and Dr. O. H. Schultz of New York, who performed the autopsy, were among the witnesses. Dr. Schultz testified death was by "strangulation caused by impression of the upper part of the neck and the floor of the mouth from without."

WISCONSIN INSURES CITIZENS.

Operation of the New State Insurance Law Begins.

Madison, Wis., Oct. 24.—The state of Wisconsin today formally went into the insurance business. The state insurance commissioner, Herman L. Eker, opened his office for applications for licenses to sell life insurance. He will receive applications from the legislature. Policies of \$500 up will be written, premiums to be made yearly, semi-yearly, quarterly or monthly. Any healthy citizen of Wisconsin between the ages of twenty and fifty is eligible.

## Puts Questions to Candidates

LETTERS SENT TO BALDWIN, STUDLEY AND SMITH

BY HARTFORD PASTOR

All Pertain to Their Attitude on Liquor License Legislation—Letters Embody Three Propositions.

Hartford, Conn., Oct. 24.—Rev. Walter E. Lamphre, pastor of the Plymouth Congregational church, has sent the following letter to Gov. Simeon E. Baldwin:

"The undersigned as a citizen expressing what he has reason to believe is a question in the minds of many, would respectfully ask you, as a candidate for re-election to the governorship of this state, your position on the following propositions which may be brought before the general assembly:

Three Questions.

"1.—The limiting of saloons in license towns to one for each thousand of population.

"2.—The increase of the license fee to one thousand dollars.

"3.—The repeal of the so-called summer hotel license law.

Sent Also to Studley and Smith.

"The last, which, of course, you can be hardly expected to favor, is questioned because it is a part of the legislation being sent to candidates of the other party."

Communications practically identical with the above were also sent by Rev. Mr. Lamphre to Judge J. P. Studley and Herbert Knox Smith, republican and progressive candidates for governor.

BULL MOOSE FUND.

Has Received Contributions of \$304,244 and Spent \$292,341.

New York, Oct. 24.—The progressive party received contributions for its campaign fund up to Oct. 17 of \$304,244, and has spent \$292,341, and has unpaid bills and contract obligations for \$41,341 more, according to the official statement of receipts and expenses sent to the clerk of the house at Washington today by Treasurer E. H. Hooker of the progressive national committee.

Frank A. Munsey, who gave \$70,000, George W. Perkins, who gave \$45,000, and W. Emory Roosevelt, who gave \$21,100, appeared as the leading individual contributors to the fund. The balance came from nearly 7,000 individuals whose gifts ranged from the \$15,000 given by Douglas Robinson, Colonel Roosevelt's brother-in-law, to two anonymous contributions of 19 cents each. Mrs. Longworth gave \$600.

Accuses Wilson of Misrepresentation.

Harrisburg, Pa., Oct. 24.—That Governor Wilson and his advocates have misrepresented the attitude of the progressive party toward the trusts was the charge made here tonight by Governor Johnson in a speech at the Auditorium. An enthusiastic throng escorted him through a rain to the hall.

The seats and aisles were filled with people before Governor Johnson started his speech.

TARRED AND PAINTED

YOUNG WOMAN IN OHIO

Six Men Arrested for Assault—Another Charged with Perjury.

Norwalk, Ohio, Oct. 24.—Six men were arrested today at West Clarksville on indictments charging them with riotous conspiracy in connection with the recent tarring and painting of Minnie LaValley, a young woman of that village. A seventh man, charged on an indictment charging perjury in connection with his testimony before the grand jury in its investigation of the occurrence.

Reginald Thomas, constable, was among those charged with the attack on the girl. Others arrested for alleged participation were Joseph Cumming, Joseph and Carl Sly, Harlow and Ernest Welch, men well known in West Clarksville. They were all between 20 and 40 years. The seven arrested are to be arraigned here tomorrow.

Minnie LaValley was seized on the street of the village on the night of August 30, divested of clothing and smeared with tar or paint. It was alleged at the time that women dressed as men had taken part in the affair. The finding of the grand jury denied.

BALDWIN PREDICTS

ELECTION OF WILSON.

Says Taft is an Honest Man, But Not a Politician.

New Britain, Conn., Oct. 24.—Gov. Simeon E. Baldwin was the principal speaker at a largely attended democratic rally here tonight, and after analyzing political conditions and the candidates declared that Gov. Woodrow Wilson would be the next president of the United States. He said he was one of those who believe that President Taft is "a thoroughly honest man," but who is not a politician.

Of Colonel Roosevelt, the governor said he is a born leader of men, but I don't think he always leads in the right direction. I think he often knows he is not leading in the right direction."

WHITE HOUSE HOSED DOWN.

Fire Engine Souses It Because There Was No Paint Appropriation.

Washington, Oct. 24.—The White house received its first bath since 1895 today. Formerly it was customary when funds for painting were turned a hose on the executive mansion to restore its immaculate white. Since then the White house has been painted instead of washed. This said there were no funds for paint. So a fire engine pumped water and firemen soaked the exterior of the White house in anticipation of President Taft's home coming Sunday.

Messenger Boy Robbed of \$8,000.

Minneapolis, Minn., Oct. 24.—Oscar Christensen, a messenger boy for the Soo railway, today was robbed of \$8,000 in pay checks of the company by one of the principal streets of this city. The man obtained the checks by representing himself as a railway employee who has to make changes in the paper.

A One-Sided Election.

Washington, Oct. 24.—Nicaragua's election Sunday, Nov. 3, will be a very one-sided affair, according to advice received by the state department, and Christian Missionary Union. President Diaz is expected to succeed him without opposition.

## Condensed Telegrams

Sweet Apple Cider, fresh from the press, has been banned by a Wilmington, Del., ordinance.

Infants in Arms Are Passengers under a ruling received from the department of commerce and labor.

Ten Years Ago the Average Age of the Johns Hopkins freshman was nearly 20 years; today it is only 17.8 years.

A Large Mirror Will Be Placed in a Baltimore police station so that drunks and rowdies can see how disreputable they look.

Following a Parade in Davenport, Ind., 300 Greeks knelt in the street and prayed before leaving to fight against the Turks.

Arrangements Are Being Made at New York for an ocean yacht race from New York to Porto Rico early next summer.

A Severe Earthquake Shock was felt by persons and animals on the north shore of the River St. Lawrence late Wednesday night.

There Are Eight Vacancies for young health services. Successful candidates will get \$2,000 a year to start.

Adam George, who owned a \$12,000 farm and had \$7,500 in securities and cash, starved to death in a tumble-down shanty near Dearborn, Mich.

Federal Officers Are Continuing their investigation into the Jack Johnson-Lucile Cameron case, although the federal grand jury adjourned over to Monday.

The Old Wooden Frigate Hartford, flagship of Admiral Farragut at Mobile bay, left Annapolis yesterday for Charleston to become station ship at the yard there.

The Champion Polygamist in the British empire has been discovered among the Banku tribesmen in the Transvaal. He has 46 wives and is 35 years old.

Naval Constructors have just completed a new hydroplane of distinctive design which will be given its initial test within the next day or two on the Potomac river.

Charles M. Ames, head of several Mount Vernon, N. Y., manufacturing firms, has just completed contracts for the purchase of the entire town of Turnerville, Conn.

Owing to increase in the Price of silver bullion, manufacturers of sterling silverware have advanced the price of spoons, forks and tableware approximately 10 per cent.

Several Astronomers from American universities who made a special trip to Rio Janeiro to observe the solar eclipse, are returning home disappointed. A cloud hid the eclipse.

A Negro Porter Was Killed and three of the train crew were injured at Fillmore, Ill., yesterday when a special train carrying officials of the Toledo, St. Louis and Western railroad was wrecked.

Miss Mary E. Brown of Washington, D. C., in an address yesterday before the convention of the National Woman's Christian Temperance union, made a plea for a stricter enforcement of the curfew laws.

Seventy Christians and a Priest were massacred by the Turks before their escape from the town of Servia yesterday, according to an official cable from the Greek foreign office to the legation at Washington.

Charged With the Embezzlement of \$5,000 from the Eastport, Me., post office, where he has served for six years or more as assistant postmaster, Ernest A. Pariss was arrested yesterday by federal officials.

The Election of United States Senator Elihu Root of New York as Stafford Little lecturer on public affairs was announced yesterday at the regular fall meeting of the board of trustees of Princeton university.

Resolutions Declaring that unrest in Lawrence and other textile centers is due to the policy of mill owners